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Headquarters [Delegation 7-119, 1200 TN-548](#) dated April 2, 2002

REGION 6
DELEGATION

TN-309
September 23, 2003

CLEAN AIR ACT

R6-7-119. Performance Test

1. AUTHORITY.

To approve the use of a reference method with minor changes in test methodology, to approve shorter sampling times and smaller sampling volumes when necessitated by process variables, to specify the conditions of the performance test, to waive the requirement for a performance test pursuant to Sections 111(f), 111(h), 112(d), 112(f) and 112(h) of the Clean Air Act if the owner or operator of an affected source has demonstrated by other means that the affected source is in compliance.

2. TO WHOM DELEGATED.

This authority, as it pertains to Hazardous Waste Combustors as defined by 40 CFR 63 Subpart EEE, is delegated to the Director, Multimedia Planning and Permitting Division, who, by his concurrence in this delegation, redelegates that authority to the Associate Division Director for RCRA.

Remaining authority under Section 7-119 is delegated to the Director, Compliance Assurance and Enforcement Division, who, by his concurrence in this delegation, redelegates that authority to the Chief, Air/Toxics and Inspection Coordination Branch.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY. This authority may not be redelegated.

5. ADDITIONAL REFERENCES.

- a. 40 CFR 63.7(e)(2)(i), 40 CFR 63.7(e)(2)(iii), 40 CFR 63.7(e)(2)(iv), and 63.7(h).
- b. 40 CFR 61.13(h)(1)(i) and 40 CFR 61.13(h)(1)(iii).
- c. 40 CFR 60.8(b)(1), 40 CFR 60.8(b)(4), and 40 CFR 60.8(b)(5)
- d. 40 CFR 65.157(b), 40 CFR 65.158(a)(2)(i), and 40 CFR 65.158(a)(2)(iv)
- e. 40 CFR 60.8(c), 61.13(e), 63.7(e)(1), 40 CFR 65.158(a)(1), 40 CFR 65.159(a), and 40 CFR 65.160(a).

Delegation of Authority from the
Regional Administrator